

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NORTHWESTERN UNIVERSITY,

Plaintiff,

V

KING COUNTY.

Defendant.

CASE NO. 2:20-cv-01043-JLR-JRC

ORDER FOR SUPPLEMENTAL BRIEFING

This matter has been referred to the undersigned by the District Court. *See* Dkt. 19. This is before the Court on defendant's motion to dismiss. *See* Dkt. 14. The Court will hear argument from the parties on defendant's motion on November 24, 2020. *See* Dkt. 25.

Having considered defendant's motion and the parties' related briefing, the undersigned finds that supplemental briefing would be beneficial to the Court prior to oral argument. Accordingly, the Court requests that the parties provide an optional supplemental brief addressing the following issues:

(1) Whether defendant's alleged services are "uniquely municipal and non-commercial services" under the Lanham Act, where the alleged services are "in

1 addition to juvenile detention services,” including “housing other organizations that
2 offer” related services. Dkts. 1, at 6; 14, at 6; *see also* 15 U.S.C. § 1127 (defining
“commerce” broadly); and

3 (2) Whether defendant’s alleged use of the contested marks (“Children and
4 Family Justice Center” and “CFJC”) in connection with the services offered
constitutes “use in commerce” where the services offered are “in addition to
juvenile detention services.” Dkt. 1, at 6; *see also* 15 U.S.C. §§ 1125(a)(1), 1127.

5 The parties may, but are not required to, file a supplemental brief not to exceed **five** pages
6 and addressing these issues on or before **November 22, 2020**.

7 The Clerk is directed to renote defendant’s motion to dismiss (Dkt. 14) for the Court’s
8 consideration on **November 24, 2020**.

9 Dated this 16th day of November, 2020.

12 
13 J. Richard Creatura
14 United States Magistrate Judge